IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 5TH JULY 2007 / 14TH ASHADHA 1929

WP(C).No. 20659 of 2007(H)

PETITIONER:

1. SMT.SUMATHIKUTTY AMMA, AGED 70 YEARS, W/O.LATE ARAVINDAKSHA MENON, TRIPPUNITHURA BHAVAN, PUZHAVATHU, CHANGANASSERY, KOTTAYAM DISTRICT.

2. ANIL MENON, AGED 47 YEARS, S/O.LATE ARAVINDAKSHA MENON, TRIPPUNITHURA BHAVAN, PUZHAVATHU, CHANGANASSERY, KOTTAYAM DISTRICT.

3. SMT.KALADEVI, AGED 44 YEARS, W/O.LATE VENUGOPAL, TRIPPUNITHURA BHAVAN, PUZHAVATHU, CHANGANASSERY, KOTTAYAM DISTRICT.

BY ADV. SRI.NIREESH MATHEW

RESPONDENTS:

1. THE ASST.EXCISE COMMISSIONER, PALAKKAD.

2. THE DEPUTY TAHSILDAR (RR), CHANGANASSERY, KOTTAYAM DISTRICT.

3. THE DISTRICT COLLECTOR, KOTTAYAM.

BY G.P. SHRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C).No.20659 of 2007

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Dated this the 5th day of July, 2007

J U D G M E N T

The petitioners challenge proceedings for recovery of arrears of abkari dues. However, the petitioners confine their relief for a permission to pay the amounts covered by Exts.P1 and P2 notices in instalments.

2. I have heard the learned Government Pleader also.

3. Taking a lenient view, I direct the respondents to permit the petitioners pay the amounts covered by Exts.P1 and P2 in ten equal monthly instalments starting from 15.7.2007. Every subsequent instalment shall be paid on the first working day after 14th of every succeeding month. If the petitioners pay the instalments in time, further proceedings pursuant to Exts.P1 and P2 shall be kept in abeyance. However, if the

petitioners commit default in payment of any one instalment, the respondents would be free to continue the proceedings as per Exts.P1 and P2 without having to issue any fresh notice or proceedings in that regard.

Writ petition is disposed of as above.

Sd/-

sdk+ S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.